

Message Text

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ACTION L-03

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C O N F I D E N T I A L USUN 4365

E.O. 11652: GDS
TAGS: TSPA, UNGA
SUBJECT: 32ND GA: OUTER SPACE RESOLUTION

REF: A) STATE 252828; B) USUN 3782

1. MISOFF MET WITH SMUN COUNSELLOR SERGEY SMIRNOV 3 NOVEMBER
TO CONTINUE DISCUSSION ON DISPUTED LANGUAGE OF DRAFT
COMMITTEE I OMNIBUS OUTER SPACE RESOLUTION CONCERNING NE-
GOTIATIONS ON SATELLITE DIRECT TELEVISION BROADCAST GUIDELINES.
MISOFF STRESSED THE IMPORTANCE OF NOT HAVING THE GENERAL
ASSEMBLY APPEAR, BY THE USE OF INAPPROPRIATELY ENTHUSIASTIC
LANGUAGE, TO MINIMIZE OR DISTORT THE SUBSTANTIAL OBSTACLES
THAT LAY IN THE WAY OF A SET OF
AGREED GUIDELINES.

2. MISOFF ALSO REITERATED THE FORMAL US POSITION QUESTIONING
THE NECESSITY OF A PRINCIPLE ON CONSULTATION AND AGREEMENTS
BETWEEN STATES. SMIRNOV OBSERVED OTHER WESTERN MEMBERS OF
THE OUTER SPACE COMMITTEE INVOLVED IN CURRENT DISCUSSIONS DO NOT
SUPPORT THIS VIEW. MISOFF NOTED THAT THE FUNDAMENTAL PROBLEM
WITH PARAGRAPH 3 OF THE AUSTRIAN OMNIBUS RESOLUTION IS THAT
IT WOULD HAVE THE GA TAKE NOTE WITH PARTICULARITY AND
SATISFACTION OF AN UNAGREED, BRACKETED FORMULATION OF A
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POSSIBLE CONSULTATION AND AGREEMENTS PRINCIPLE CONTAINED
IN THE OUTER SPACE COMMITTEE REPORT. (THE AUSTRIAN FOR-
MULATION, TRANSMITTED REFTEL(A), WOULD "NOTE WITH SA-
TISFACTION" THE DBS GUIDELINES NEGOTIATIONS "AND PAR-
TICULARLY WITH WORK DONE IN FORMULATING A TENTATIVE TEXT
OF A PRINCIPLE OF 'CONSULTATION AND AGREEMENTS BETWEEN STATES'
AND A DRAFT PREAMBLE") SMIRNOV REPEATED THE ARGUMENTATION

EMPLOYED IN EARLIER DISCUSSIONS TO THE EFFECT THAT THE PURPOSE OF THE PARAGRAPH IS SIMPLY TO HAVE THE ASSEMBLY TAKE NOTE OF ALL OF THE GUIDELINES WORK. MISOFF SUGGESTED WILLINGNESS TO CONSIDER THE AUSTRIAN TEXT IF THE WORD "PARTICULARLY" IS DELETED; THE DELETION WOULD HELP REMOVE THE APPEARANCE OF A GA PRONOUNCEMENT OF SATISFACTION WITH THE WORK ON THE CONSULTATION AND AGREEMENTS ISSUE. PARAGRAPH 3 OF THE OMNIBUS RESOLUTION AS THUS REVISED WOULD HAVE THE GA "NOTE WITH SATISFACTION THE CONSIDERABLE PROGRESS ACHIEVED BY THE LEGAL SUBCOMMITTEE OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE AND BY A WORKING PARTY OF THAT COMMITTEE ITSELF IN THE ELABORATION OF DRAFT PRINCIPLES GOVERNING THE USE BY STATES OF ARTIFICIAL EARTH SATELLITES FOR DIRECT TELEVISION BROADCASTING, AND THE WORK DONE IN FORMULATING A TENTATIVE TEXT OF A PRINCIPLE ON 'CONSULTATION AND AGREEMENTS BETWEEN STATES' AND A DRAFT PREAMBLE." MISOFF CAUTIONED HE BELIEVED IT WOULD STILL BE INCUMBENT UPON THE US TO MAKE CLEAR IN THE COURSE OF COMMITTEE DISCUSSIONS OUR BELIEF THAT THERE REMAIN SERIOUS PROBLEMS TO BE RESOLVED IN THE OUTER SPACE LEGAL SUBCOMMITTEE NEGOTIATIONS BEFORE A MUTUALLY ACCEPTABLE CONSENSUS SET OF GUIDELINES CAN BE PUT TOGETHER. SMIRNOV SAID HE THINKS THE USSR WILL BE ABLE TO ACCEPT THE AUSTRIAN FORMULATION WITHOUT THE WORD "PARTICULARLY".

3. COMMENT: THIS SEEMS TO BE THE BEST RESULT WE WILL BE ABLE TO NEGOTIATE WITHIN EXISTING GUIDANCE AND WOULD
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LIKE TO BE ABLE TO CONFIRM TO AUSTRIA AND THE OTHER OUTER SPACE COMMITTEE MEMBERS THAT PARAGRAPH 3 MINUS "PARTICULARLY" IS ACCEPTABLE. (PARAGRAPH 3 IS THE ONLY IMPORTANT PROBLEM IN THE OMNIBUS RESOLUTION NEGOTIATIONS.)
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